

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FILED
LODGED
ENTERED
RECEIVED
MAY 14 2003

PRESENT: THE HONORABLE BARBARA JACOBS ROTHSTEIN BY
UNITED STATES DISTRICT COURT

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY
VB

DATE: MAY 13, 2003

IN RE: PHENYLPROPANOLAMINE
(PPA) PRODUCTS LIABILITY
LITIGATION

MDL NO. 1407

This document relates to all
actions

IN CHAMBERS PROCEEDING:

MDL defendants filed a memorandum regarding the Daubert hearing testimony of Dr. Steven Levine on the issue of ischemic stroke. Plaintiffs object to the filing of this memorandum, and, in the event the court considers the additional briefing, request permission to file a response. Because plaintiffs substituted Dr. Levine as their ischemic stroke expert only shortly before the hearing, defendants' Daubert briefing did not address his opinion. As such, the court will consider defendants' memorandum on Dr. Levine. However, after reviewing this memorandum, the court finds no new arguments or positions warranting a response from plaintiffs. Therefore, the court denies plaintiffs' request to file a response.

1817

MD 01-0140~ 0000181~

MINUTE ENTRY - MAY 13, 2003